

REMARKS

Applicant officially requests a personal interview prior to the examination of the currently amended claims pursuant to the filing of the Request for Continued Examination for the application identified above. The Examiner is respectfully requested to contact Applicant's representative at the telephone number listed below to schedule a mutually convenient time to conduct a personal interview to discuss the pending claims.

Pursuant to the Request for Continued Examination, the Examiner is respectfully requested to amend claims 6 and 33 pursuant to the above claim amendments prior to examination, and examine the amended claims in view of the following remarks.

The Examiner has rejected claims 6-10 and 33-41 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eakins et al., the article titled, Retrieval of Trademark Images by Shape Feature-the ARTISAN Project (hereinafter "Eakins"), in view of U.S. Patent No. 6,801,641 to Eraslan (hereinafter "Eraslan"). Applicant respectfully traverses this rejection.

In order to support a rejection of obviousness under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case. To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some motivation to modify/combine the references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 6-10 and 33-41 are not rendered unpatentable by the combination of Eakins and Eraslan which fails to establish a *prima facie* case of obviousness as discussed below.

Independent claim 6 defines a method of searching for an object in still or video images by processing signals corresponding to the images. The method includes, *inter alia*, providing a plurality of stored image representations of three-dimensional objects, each image representation being associated with an object descriptor, each object descriptor including a plurality of view descriptors, each view descriptor representing the outline of the shape of a projection of each of the three-dimensional objects from a different perspective view of the three-dimensional object.

In rejecting claim 6, the Examiner correctly notes that Eakins fails to disclose providing a plurality of stored image representation of three-dimensional objects as claimed. However, the

Examiner asserts that Eraslan discloses storing image representations of three-dimensional objects as claimed. These assertions are unfounded.

Although Eraslan discloses “each view descriptor being a representation of three-dimensional object from a different perspective” like figures 1-4, the general focus of the Eraslan disclosure does not at least teach, disclose or suggest the claimed subject matter of the instant application according to, for example amended claim 6. Specifically, the language of amended claim 6 clarifies that the view descriptor represents the outline of the shape of a projection of each of the three-dimensional objects from a different perspective view of the three-dimensional object.

Instead, Eraslan only discloses the wire-mesh structures of the 3-D surface as a descriptor, not the outline of the shape of the projection. Therefore, since Eraslan must identify each part of a 3-D surface, such as a nose, and upper lip, and so on, Eraslan should use a wire-mesh structure, a “polygon,” which represents each part of a 3-D surface. Therefore, an outline of shape is not enough to represent each part of a 3-D surface. That is to say, an outline of a shape cannot represent any part inside of the outline. Therefore, Eraslan does not imply the use of an outline of the shape of a projection, which is the view descriptor in our invention. Accordingly, and even assuming arguendo, that one of ordinary skill in the art would employ Eraslan such mesh structure clearly teaches away from Applicant’s claimed invention for at least the reasons discussed above. Therefore, the Applicant respectfully requests the immediate withdrawal of the rejection of claims 6-10 and 33-41 under section 103 over Eakins in view of Eraslan.

CONCLUSION

All matters having been addressed in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner’s reconsideration of this application, and the immediate allowance of all pending claims.

Applicant’s undersigned representative remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains an issue in which

Application No. 09/559,415
Amendment dated September 10, 2007
Reply to Notice of Panel Decision dated March 27, 2007

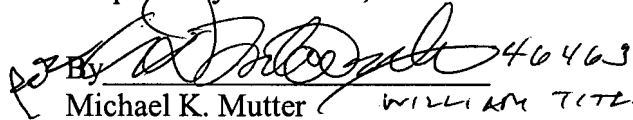
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the Examiner feels would be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: September 10, 2007

Respectfully submitted,

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